

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/044,585	KIRKPATRICK, MARK A.
	Examiner Eugene Yun	Art Unit 2682

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed 7/22/2005.
2.  The allowed claim(s) is/are 1-21 and 23.
3.  The drawings filed on 23 October 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Murrell Blackburn on 8/15/2005.

Please amend the selected claims as follows:

1. (Currently amended) An apparatus for providing a gateway between one or more wired telephones and a wireless telephone network wherein each of said one or more telephones are directly connected to a wired home telephone network without modification, the apparatus comprising:

a wireless radio operative to communicate with said wireless telephone network over a wireless communications link;

a wired telephone interface electrically coupled to said one or more wired telephones directly connected to said wired home telephone network without modification; and

a controller, said controller operative to:

detect an incoming telephone call at said wireless radio,

provide a ring signal through said wired telephone interface operative to ring said

one or more wired telephones in response to detecting said incoming telephone call, and

in response to determining that a one of said one or more wired telephones has been placed in an off hook state, establish a communications channel between said wired telephone interface and said wireless radio, thereby permitting said incoming telephone call to be received on said one of said wired telephones placed in an off hook state; and a multi-line display and a keypad utilized for programming said apparatus;

wherein said apparatus maintains a connection to said wireless telephone network while receiving incoming telephone calls via a wired telephone network; and

wherein said apparatus is located between said wired home telephone network and said wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless [radio] telephone network.

11. (Currently amended) An apparatus for providing a gateway between one or more wired telephones and a wireless telephone network wherein said one or more wired telephones are directly connected to a wired home network, comprising:

a wireless radio operative to communicate with said wireless telephone network over a wireless communications link;

a wired telephone interface electrically coupled to said one or more wired telephones directly connected to said wired home network;

a wired network interface electrically coupled to a wired telephone network; a current source; and

a controller operative to determine whether a connection between said one or more wired telephones and said wired telephone network is operative wherein said controller maintains a connection with said wired telephone network and said wireless telephone network and, in response to determining that said connection between said one or more wired telephones and said wired network is inoperative, said controller further operative to:

cause said current source to deliver an electrical current to said one or more wired telephones compatible with POTS service,

detect an incoming telephone call at said wireless radio,

provide a ring signal through said wired telephone interface operative to ring said one or more wired telephones in response to detecting said incoming telephone call and,

in response to determining that a one of said one or more wired telephones has been placed in an off hook state, said controller operative to establish a communications channel between said wired telephone interface and said wireless radio, thereby permitting said incoming telephone call to be received on said one of said wired telephones placed in an off hook state;

wherein said gateway is located between said wired home telephone network and said wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless [radio] telephone network.

15. (Currently amended) A method for providing a gateway between one or more

wired telephones and a wireless telephone network wherein said one or more wired telephones are directly connected to a wired home network, comprising:

    determining whether a connection between said one or more wired telephones directly connected to said wired home network and a wired telephone network is operative wherein said gateway maintains a connection with said wired telephone network and said wireless telephone network;

    in response to determining that said connection between said one or more wired telephones and said wired network is inoperative,

    delivering an electrical current to said one or more wired telephones compatible with POTS service,

    detecting an incoming telephone call at a wireless radio,

    providing a ring signal to said one or more wired telephones in response to detecting said incoming telephone call and,

    in response to determining that a one of said one or more wired telephones has been placed in an off hook state, establishing a communications channel between said one or more wired telephones and said wireless telephone network, thereby permitting said incoming telephone call to be received on said one of said wired telephones placed in an off hook state;

    wherein said gateway is located between said wired home telephone network and said wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless [radio] telephone network.

19. (Currently amended) A computer-controlled apparatus for providing a gateway between a wired home telephone network and a wireless telephone network, said apparatus operative to:

provide a first mode of operation in which said apparatus is operative to monitor an operational status of a wired telephone network and to route a telephone call made from said wired home telephone network via a wired telephone directly connected to said wired home telephone network through said wireless telephone network in response to determining that said wired telephone network is not operational while maintaining an inoperative connection with said wired telephone network; and

provide a second mode of operation in which said apparatus is operative to monitor an operational status of said wireless telephone network and to route a telephone call made from said wired home network via a wired telephone directly connected to said wired home telephone network through said wired telephone network in response to determining that said wireless telephone network is not operational while maintaining an inoperative connection with said wireless telephone network;

wherein said apparatus is located between said wired home telephone network and said wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless telephone network.

***Allowable Subject Matter***

2. Claims 1-21 and 23 are allowed.

Regarding Claims 1, 6, 11, 15, and 19, Fintel, Aldermeshian, and Schornack do not teach, alone nor in combination, an apparatus or gateway between one or more wired telephones or a wired telephone network and a wireless telephone network, wherein said apparatus or gateway is located between said wired home telephone network and said wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless telephone network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Eugene Yun

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NICK CORSARO  
PRIMARY EXAMINER